

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re: Kirk A. Kasperowicz
Ann Marie Kasperowicz

Case No. 18-57150-mlo
Chapter 13
Hon: Maria L. Oxholm

Debtors'.
_____ /

**OBJECTION TO CHAPTER 13 PROOF OF CLAIM NO. 4
OF HARLEY DAVIDSON CREDIT CORPORATION**

Kirk A. & Ann Marie Kasperowicz, Debtors' herein, by and through their attorneys, Berman & Bishop, PLLC, by Robert W. Bishop respectfully objects to the Proof of Claim No.4 of Harley- Davidson Credit Corporation, filed on January 29, 2019 and states as follows:

1. That this case was filed on December 26, 2018.
2. That Harley-Davidson Credit Corporation filed their claim as secured, when in fact Debtors' have surrendered the Motorcycle to the creditor.

WHEREFORE, Debtor requests that the Proof of Claim No.4 filed by Harley-Davidson Credit Corporation, filed on January 29, 2019 shall be denied.

Dated: March 18, 2019

/s/ Robert W. Bishop

ROBERT W. BISHOP (P66345)
Attorney for Debtor
24405 Gratiot Ave.
Eastpointe, MI 48021
(586) 775-0600
bermanbishop@gmail.com

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**ORDER GRANTING OBJECTION TO PROOF OF CLAIM NO. 4
OF HARLEY-DAVIDSON CREDIT CORPORATION**

Upon the reading and filing of Debtors' Objection to Proof of Claim No. 4 of Harley-Davidson Credit Corporation which was presented to this Court pursuant to Bankruptcy Rule 3007, and no responses having been filed to the said Objections and a Certificate of No Response having been filed with this Court;

NOW THEREFORE,

IT IS HEREBY ORDERED that Claim No. 4 of Harley-Davidson Credit Corporation in the amount of \$11,104.55 is denied in full.

IT IS FURTHER ORDERED that to the extent that the Chapter 13 Standing Trustee has previously made disbursements to such creditor, the Trustee shall not be obligated to recoup same.

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**NOTICE OF OBJECTION TO CLAIM NO. 4
OF HARLEY-DAVIDSON CREDIT CORPORATION**

Kirk A. & Ann Marie Kasperowicz, Debtors' herein, has filed an objection to your claim in this bankruptcy case.

Your claim may be reduced, modified, or denied. You should read these papers carefully and discuss them with your attorney, if you have one.

If you do not want the Court to deny or change your claim, then on or before **April 29, 2019**, you or your lawyer must:

1. File with the court a written response to the Objections, explaining your position at:
United States Bankruptcy Court
211 W. Fort Street, Suite 2100
Detroit, MI 48226

If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

ROBERT W. BISHOP (P66345)
Attorney for Debtor
24405 Gratiot Ave.
Eastpointe, MI 48021
(586) 775-0600
bermanbishop@gmail.com

TAMMY L. TERRY
Standing Chapter 13 Trustee
535 Griswold, Suite 2100
Detroit, MI 48226
(313) 967-9857

2. Attend the hearing on the Objection, scheduled to be held on **May 6, 2019 at 9:00 a.m.** in **Courtroom 1875, 211 West Fort Street, Detroit, Michigan**, unless your attendance is excused by mutual agreement between yourself and the objector's attorney. **If you or your attorney do not take these steps, the court may deem that you do not oppose the objection to your claim, in which event the hearing will be canceled, and the objection sustained.**

Dated: March 18, 2019

/s/ Robert W. Bishop

ROBERT W. BISHOP (P66345)
Attorney for Debtor
24405 Gratiot Ave.
Eastpointe, MI 48021
(586) 775-0600
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CERTIFICATE OF SERVICE

The undersigned, being first duly sworn, deposes and says that on March 18, 2019 she served electronically and/or by United States Mail, postage prepaid, a copy of the following:

DOCUMENT(S): Objection to Proof of Claim No. 4 of
 Harley-Davidson Credit Corp.

ADDRESSEE(S): TAMMY L. TERRY
 Standing Chapter 13 Trustee
 535 Griswold, Suite 2100
 Detroit, MI 48226
 (313) 967-9857

Bonial & Associates, P.C.
Attorneys' for Harley-Davidson Credit Corp.
PO Box 9013
Addison, TX 75001

I DECLARE THE ABOVE STATEMENTS ARE TRUE AND ACCURATE TO THE BEST
OF MY INFORMATION, KNOWLEDGE AND BELIEF.

Dated: March 18, 2019

/s/ Terrah Salamone
Terrah Salamone
Paralegal
24405 Gratiot Ave.
Eastpointe, MI 48021
(586) 775-0600
bermanbishop@gmail.com